

WEST VALLEY CITY, UTAH

RESOLUTION NO. _____

**A RESOLUTION APPROVING AN AMENDMENT TO
THE AMPHITHEATER EVENT MANAGEMENT
AGREEMENT BETWEEN THE CITY AND PRISTINE
ALPINE ENTERTAINMENT, LLC, FOR THE USANA
AMPHITHEATER.**

WHEREAS, the City and Pristine Alpine Entertainment, LLC (“PAE”), entered into the Amphitheater Event Management Agreement (the “Original Agreement”) on June 17, 2003, for the purpose of providing certain management services related to the Amphitheater owned and operated by PAE; and

WHEREAS, the City and PAE desire to modify certain provisions of the Original Agreement relating to payments made for management services; and

WHEREAS, the City and PAE have negotiated and prepared an amendment to the Original Agreement for execution by and between the City and PAE (the “Amendment”). This Amendment, which is attached hereto and entitled “Amendment No. 1 to the Amphitheater Event Management Agreement,” sets forth the rights, duties, and obligations of each of the parties with respect thereto; and

WHEREAS, the City Council, of West Valley City, Utah, does hereby determine that it is in the best interest of the health, safety and welfare of the citizens of West Valley City to approve the Amendment to the Amphitheater Event Management Agreement described above;

NOW THEREFORE, be it resolved by the City Council of West Valley City, Utah, that Amendment No. 1 to the Amphitheater Event Management Agreement is hereby approved and the Mayor is hereby authorized to execute said document for and in behalf of West Valley City, subject to approval of the final form of the document by the City Manager and City Attorney’s Office.

PASSED, APPROVED and MADE EFFECTIVE this _____ day of _____, 2009.

WEST VALLEY CITY

MAYOR

ATTEST:

CITY RECORDER